

REMARKS

This response is being filed with a petition to revive the present application due to unintentional delay under 37 CFR §1.137(b).

The above amendments and these remarks are responsive to the action of the Board of Patent Appeals and Interference dated April 28, 2008. Claims 1-20 are pending in the application. Claims 1, 2, 6-10, and 15-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over www.monster.com ("Monster" - retrieved from Internet Archive Wayback Machine www.archive.org, November, 1998) in view of one or more of www.simpatix.com ("Simpatix" - retrieved from Internet Archive Wayback Machine www.archive.org, November, 1999 – January, 2000) and U.S. Patent Application Publication No. 2002-0019768 of Fredrickson. The Decision of the Board of Patent Appeals and Interferences indicates that the rejections of claims 3, 4, and 11-14 are reversed

In view of the amendments above and the remarks below, Applicants respectfully request reconsideration of the application and allowance of the pending claims.

Claims 1-2 and 6-9

Upon the Decision of the Board of Patent Appeals and Interferences, claims 1, 2, and 6-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Monster in view of Simpatix, and claims 3-5, which depend variously from claim 1, have been determined to be allowable.

In the present amendment, claim 1 has been amended to include the subject matter previously recited by claims 3-5, and claims 3-5 have been canceled without prejudice. The form of claim 1, as presently amended, was agreed to be acceptable to the Examiner in an exchange of emails between the undersigned in October, 2008. For at least these reasons, claim 1 is patentable, and the applicants request the withdrawal of the rejection of this claim. Furthermore, since claims 2 and 6-9 depend variously from claim 1, these claims are patentable for at least the same reasons as claim 2 is patentable, and the applicants request the withdrawal of the rejections of these claims.

Since the limitation recited by claim 10 is similar to one or more limitations which have been added to claim 1, from which claim 10 indirectly depends, claim 10 has been canceled without prejudice.

Claims 11, 12 and 14

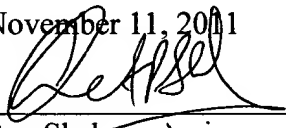
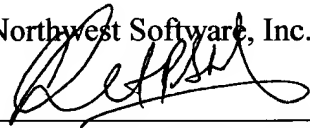
Upon the decision of the Board of Patent Appeals and Interferences, claims 11, 12, and 14 have been determined to be allowable. Nevertheless, the applicants submit herewith amendments to claim 11 to recite limitations previously included in claim 13, and claim 13 has been canceled without prejudice. The form of claim 1, as presently amended, was agreed to be acceptable to the Examiner in an exchange of emails between the undersigned in October, 2008. For at least the reasons and for the reasons stated in the Action of the Board of Patent Appeals and Interferences, claim 11 is patentable, and the applicants request the withdrawal of the rejection of this claim. Since claims 12 and 14 depend from claim 11, these claims are also patentable for at the same reasons as claim 11 is patentable, and the applicants request the withdrawal of the rejection of these claims.

Claims 15-20

Claims 15-20 have been canceled without prejudice.

Conclusions

The applicants believe that the present application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, the applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned representative of Northwest Software, Inc.

<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:</p> <p>Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>on November 11, 2011</p> <p> Chetan Shah</p>	<p>Respectfully submitted,</p> <p>Northwest Software, Inc.</p> <p></p> <p>Chetan Shah (Vice President) PO Box 91396 Portland, Oregon 97291-0396</p> <p>Telephone: (503) 629-5947 Facsimile: (888) 656-8484</p>
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